

Buyer beware: Your mobile home is basically a used car



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STOCK IMAGE: Mobile home retirement community in Florida(Photo: Christian J. Stewart, Getty Images/iStockphoto)

Josephine and Anthony Benedetti's email to me began with this sentence: "I do not know if you can help us."

I can't. Not at all. What I'm hoping is that their story will help anyone else considering buying a manufactured home.

The Benedettis sold their mobile home in Jamaica Bay to buy another in same community off U.S. 41 in south Fort Myers.

Anthony Benedetti said Josephine asked the salesman about the roof and air conditioner.

Benedetti said he recalled the salesman's exact response: "Would I ever sell you a home with a bad roof?"

"I thought I could trust them," Benedetti said. So he signed a contract to purchase the home for \$45,000.

Upon moving in Benedetti said he discovered a mold problem. And worse, the roof was in such bad shape he couldn't get insurance.

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Get an inspection

"We are two old people on a fixed income and cannot afford to get this roof fixed," the 80-year-old Benedetti said.

"The contract says as-is," he admitted. "But I thought there was a law that they had to disclose certain things."

"The seller's disclosure" is based on the Florida Supreme Court case Johnson v. Davis, said Kara Jursinski, an attorney with the law office of Kevin Jursinski.

The seller must disclose facts or conditions of the home that can't be easily seen but would negatively impact its value. But the law doesn't apply to the mobile home the Benedettis purchased.

"Under this scenario, the seller is not under duty to disclose because the home, in and of itself, is treated like a transportable vehicle. And you're buying it as-is," Jursinski said.

So if you aren't buying the land underneath, your mobile home is basically a used car. And the same used car rules apply. Which is why I'm repeating the advice I give to used-car buyers — get an inspection.

Home inspectors can inspect mobile and manufactured homes just like they inspect any other dwelling, said David Sturman, president of Malachi Construction in Fort Myers.

Sturman said he was familiar with Jamaica Bay because his aunt and uncle had lived there.

"Those are old places," Sturman said. The roofs are often no more than a sheet of aluminum with a coating applied. Inspecting one is difficult because you can't walk on the roof to check it out. But you can try to discern how many times it's been coated and you can look inside for signs of water damage from the roof, he said.

An inspector should crawl under the mobile home too. The floors can be rotted out and rodents have a tendency to get under these homes, nest and eat through the floors, he said.

"I can't say I would catch everything," in an inspection Sturman told me. "But I think it's money well-spent."

Unfortunately, inspection advice is coming too late for this elderly couple. Benedetti said he contacted Jamaica Bay's management and the CEO to try to get some restitution.

"Their response was they have no obligation as I purchased the home as-is," Benedetti said.

The company didn't respond to me either. But it is right about this one. They don't owe the Benedetti's anything, except an apology.

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